IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.3947 OF 2006
in
INCOME TAX APPEAL (L) NO.2098of 2006

The Commissioner of Income
Tax Central II Mumbai .. Appellant

vs

M/s Divine Holdings P.Ltd ... Respondent

Ms.P.P.Bhosale & Mr.B.M.Chatterjee for Appellant
Mr.A.R.Singh for Respondent

CORAM : F.I.REBELLO AND
R.S.MOHITE, JJ

DATED : 4TH DECEMBER, 2007

P.C.

1. The delay is less than 200 days. Considering the practical difficulties which the department was facing including referring the matters to the Law Department, Government of India for drafting the Appeal Memo and considering the affidavit in support of the Notice of Motion, in our opinion, the cause shown would amount to sufficient cause. Hence, delay condoned. The Notice of Motion is allowed in terms of prayer clause (a).

2. Office to register the appeal.

(F.I.Rebello, J)

(R.S.Mohite, J)